

STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING

1985 0220 011 008

IN RE:

Sandra Halliday, LPN, ,018899

45 Dogburn Road

West Haven, CT

RECEIVED
DEPARTMENT OF HEALTH SERVICES

JUL 11 1985

HEALTH SERVICES
DIVISION OF MEDICAL
QUALITY ASSURANCE

MEMORANDUM OF DECISION

INTRODUCTION

The Board of Examiners for Nursing, (hereafter the "Board"), was presented by the Department of Health Services with a Statement of Charges dated April 22, 1985.

The Statement of Charges alleged violations of certain provisions of Chapter 378, Connecticut General Statutes. The Board then issued a Notice of Hearing which provided that the hearing would take place on June 12, 1985 in the State Armory at 360 Broad Street, Hartford, Connecticut.

Each member of the Board involved in this decision attests that she has reviewed the record, and that this decision is based entirely on the record.

FACTS

Based on the testimony given and the exhibits offered into evidence at the above hearing, the Board made the following findings of fact:

1. Sandra Halliday, respondent, was a graduate nurse and subsequently licensed, to practice nursing as a licensed practical nurse in Connecticut, with registration number 018899.

2. Pursuant to Connecticut General Statutes, Section 4-182(c), the respondent was provided a full opportunity prior to the institution of agency action to show compliance with all the terms for the retention of her license.

3. The respondent, Sandra Halliday, during November of 1984 and continuing until January of 1985 while employed as a nurse at Overlook Manor Health Care Center, Norwalk, diverted the controlled substance Darvocet N-100. The respondent, Sandra Halliday, during November of 1984 and continuing until January of 1985 while employed as a nurse at Overlook Manor Health Care Center, Norwalk, diverted the controlled substance Valium. The respondent diverted the Darvocet N-100 and the Valium for her husband's use. These controlled substances were diverted from stocks of controlled substances at Overlook Manor. False entries were made by the respondent, of administration of these drugs to patients, on the control drug record.

4. The activities referenced in paragraph three (3) were uncovered by Sandra C. Fagan, Drug Control Agent, Connecticut, Department of Consumer Protection.

DISCUSSION AND CONCLUSIONS

5. The First and Second Counts allege that the respondent violated provisions of Section 20-99(b) during November of 1984 and continuing until January of 1985 while employed as a nurse at Overlook Manor Health Care Center, Norwalk, by diverting the controlled substances Darvocet N-100 and Valium. The respondent admitted to these charges both verbally and in writing. She diverted these controlled substances from stocks of controlled substances at Overlook Manor. She did not use these controlled substances for her personal use, but gave them to her husband under the threat that if she did not, harm would come to her son. She is no longer living with her husband. The director of nursing where the respondent is employed is aware of these charges and hopes to retain the respondent in her employ.

In pertinent part, Section 20-99(b) forbids illegal conduct, incompetence or negligence in carrying out usual nursing functions.

The Board determined that the respondent, during November of 1984 and continuing until January of 1985 while employed as a nurse at Overlook Manor Health Care Center, Norwalk, diverted the controlled substance Darvocet N-100. The Board further determined that the respondent, during November of 1984 and

continuing until January of 1985 while employed as a nurse at Overlook Manor Health Care Center, Norwalk, diverted the controlled substance Valium. Standards of nursing practice dictate that controlled substances are administered only through prescriptions legally-written and executed.

Based on the foregoing, the Board concludes that the respondent has violated Section 20-99(b) as specified in the First and Second Counts.

ORDER

6. It is the unanimous decision of those members of the Board of Examiners for Nursing who were present and voting that:
 - a. The license of the respondent be suspended for a minimum period of 18 months determined as follows:
 - i. as to the First Count, 18 months;
 - ii. as to the Second Count, 18 months;
 - iii the 18 month suspension for the First Count is to run concurrent with the 18 month suspension for the Second Count
 - b. the suspensions referenced under (a) are to be stayed immediately and the respondent placed on probation for the full 18 months, subject to the respondent's compliance with the following conditions:

- i. the Board is to receive from the Director of Nursing at the respondent's place of employment bimonthly reports confirming the respondent's ability to deliver adequate nursing care and administer medications, particularly controlled substances, properly;
 - ii. if the respondent's employment status changes to less than forty hours per week at Overlook Manor and increases in another agency, the Board must receive prior notice; the director of nursing in said agency must be fully informed of the respondent's disciplinary status and that bimonthly reports as referenced under (i), from her to the Board, would be necessary;
 - iii. the respondent is to obtain counseling from a licensed therapist, and submit bimonthly documentation of same, until in the professional opinion of the licensed therapist the respondent no longer needs such counseling.
- c. Failure to comply with the conditions referenced under (b) will result in an immediate dissolution of the stay of the suspension and the immediate institution of the suspension, to be effective for the 18 months from the date of the dissolution of the stay.

- d. The said period of suspension shall commence on July 15, 1985.
 - e. At the end of the 18 month suspension period specified in (a) the respondent may apply for reinstatement of her license, at which time a review of her compliance with the conditions of her probation shall occur.
7. The Board of Examiners for Nursing herewith advises the Department of Health Services of the State of Connecticut of this decision.

Dated at *West Hartford*, Connecticut, this *11th* day
of *July*, 1985.

BOARD OF EXAMINERS FOR NURSING

BY: *Bette Jane M. Murphy, R.N.*
Bette Jane M. Murphy, R.N, Chairman